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October 15, 2007

Hon. William H. Alsup
United States District Court
Northern District of California
Courtroom 9, 19th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Re: Coyness L. Ennix, Jr., M.D. v. Alta Bates Summit Medical
Center – Case No. C 07-2486 WHA (ENE)

Dear Judge Alsup:

This letter supplements my October 12, 2007 letter. Shortly after e-filing that letter, the Summit Medical Staff received an additional objection expressing the “greatest interest in maintaining the confidentiality of any peer review records” and urging the Summit Medical Staff to “make every possible effort to advocate the privileged and confidential nature of these communications on behalf of” the objecting party. See Exh. A (Written Objection (Redacted)). Because the objection was not timely received, the Alta Bates Summit Medical Center has already produced to Plaintiff a chart summarizing the investigation involving the individual referenced in Exhibit A. Regardless, ABSMC forwards this objection for your consideration in making your ruling.

Very truly yours,



MATTHEW P. VANDALL
Counsel for Defendant
ALTA BATES SUMMIT MEDICAL CENTER

Attachment

EXHIBIT A

KESSENICK, PHILLIPS & GAMMA LLP

655 REDWOOD HIGHWAY, SUITE 250 - MILL VALLEY, CALIFORNIA 94941

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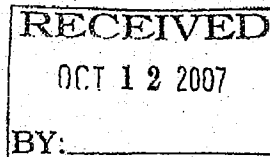
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11 October 2007

OFFICES
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Re: [REDACTED] and Alta Bates Summit Medical Center

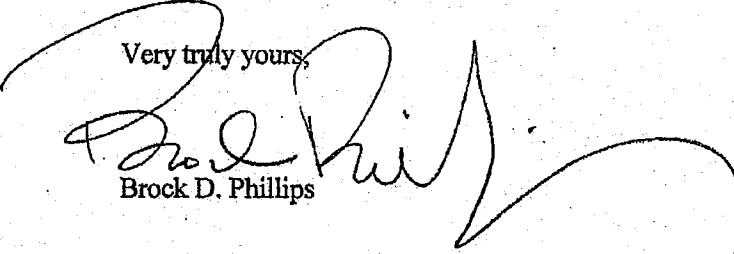
Dear Harry:

Please be advised the undersigned represents [REDACTED] for all purposes related to [REDACTED] staff privileges and peer review records at Alta Bates Summit. [REDACTED] received a letter dated September 18, 2007 from Ms. Jellin about the pending federal litigation that might include discovery requests for peer review records of other physicians at Alta Bates Summit, including [REDACTED].

As requested in that letter, please consider this reply to affirm [REDACTED] greatest interest in maintaining the confidentiality of any peer review records related to [REDACTED] at Alta Bates Summit. We understand Alta Bates Summit must comply with all lawful discovery orders of the court, but we take this opportunity to urge that the medical center make every possible effort to advocate the privileged and confidential nature of these communications on behalf of [REDACTED]. As you well know, [REDACTED] probably does not know what is in any peer review files about [REDACTED] and thus is left to speculate on their content. [REDACTED] relies on the confidentiality of those records and on the medical center's commitment to doing everything possible to protect the confidentiality of such records. [REDACTED] will cooperate in any requests you might make regarding things [REDACTED] might do [declarations and the like] to facilitate your advocacy for the privacy of these materials.

Thank you in advance for your attention to these matters.

Very truly yours,


Brock D. Phillips

/bdp

cc: [REDACTED]